

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

REGINALD REYNOLDS,)
)
Plaintiff,)
)
VS.) NO. 3:13-cv-514 MJR-DGW
)
COREY ALLEN,) JURY TRIAL DEMANDED
)
Defendants.)

COMPLAINT AT LAW

COMES NOW the Plaintiff, REGINALD REYNOLDS, by and through his attorneys, Polinske & Associates, P.C., and Brian L. Polinske, and in support of his complaint states the following:

1. The Plaintiff is an individual residing within St. Clair County, Illinois.
2. Defendant ALLEN is an individual residing within St. Clair County, Illinois.

Further, upon information and belief, Defendant ALLEN for all relevant times was a deputy with the CENTREVILLE POLICE Department.

3. Defendant ALLEN is now a convicted felon and no longer an officer of the law.
4. On July 14, 2012 the Plaintiff was a bystander who witnessed an altercation between other subjects in a parking lot located in Centreville, Illinois.
5. At no time did he commit any violation of law.
6. Prior to July 14, 2012 he had filed a lawsuit against Officer Corey Allen alleging he had maliciously filed criminal charges against him. That

lawsuit is still pending in St. Clair County Circuit Court. The case number is 11-L-609.

7. On or about July 14, 2012 the Plaintiff was arrested for Obstruction of a Peace Officer by Defendant ALLEN and taken into custody. He was held in custody until bond was posted in the amount of \$100.00.
8. At the time he was arrested there was no probable cause to believe he had committed any violation of law.
9. Despite the fact that no probable cause existed for his arrest the Plaintiff was arrested and remained in custody.
10. The Defendant has incurred attorney's fees and costs in the prosecution of this lawsuit. He requests an award of fees and costs pursuant to Section 1988.

COUNT I – FALSE ARREST
Versus Defendant ALLEN

In support of this count of his complaint the Plaintiff restates and realleges paragraphs 1 through 10 *infra*.

11. This action is brought pursuant to 42 U.S.C. 1983.
12. The Fourth Amendment to the United States Constitution states "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

13. At all times relevant Defendant ALLEN acted under color of law in that he wore the official uniform and used the official squad car of Centreville's police department.
14. Defendant ALLEN arrested the Plaintiff for the offense of Obstruction of a Peace Officer.
15. At the time of the arrest Defendant ALLEN had no probable cause to arrest the Plaintiff. Accordingly, his Fourth Amendment right against unreasonable seizure was violated.
16. The charge was dismissed on 5/7/13.

WHEREFORE, the Plaintiff prays for judgment in his favor and against Defendant ALLEN, an award of damages, punitive damages, attorney's fees and costs and any other relief to which he may be entitled.

COUNT II – MALICIOUS PROSECUTION
Pendant State Claim
Versus Defendant ALLEN

In support of this count of his complaint the Plaintiff restates and realleges paragraphs 1 through 10 *infra*.

17. The Plaintiff was charged with the offense of Obstruction of a Peace Officer without probable cause. At no time was the Plaintiff engaged in any behavior that could fairly be construed as Obstruction of a Police Officer.
18. Defendant personally completed and filed the misdemeanor Obstruction of a Peace Officer and filed same with the St. Clair County Circuit Clerk.

Accordingly, he commenced an original criminal proceeding against the Plaintiff.

19. Defendant ALLEN harbored malice towards the Plaintiff because of him being sued as a defendant in the lawsuit reference infra.
20. The charge was dismissed on 5/7/13, in favor of the Plaintiff.
21. The Plaintiff has suffered damages in that he was wrongfully incarcerated, was forced to secure counsel to defend him against the charges, and suffered mental anguish and emotional distress during the time he was incarcerated for the charge.

WHEREFORE, the Plaintiff prays for judgment in his favor and against Defendant ONWILER, an award of damages, punitive damages, attorney's fees and costs and any other relief to which he may be entitled.

Respectfully submitted,
Polinske & Associates, P.C.,

/s Brian L. Polinske
Attorney for Plaintiff

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